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Docket No.: M4065.0743/P743
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Steven T. Harshfield, et al.

Examiner: William D. Coleman

Application No.: 09/853,233

Group Art Unit: 2823

Filed: May 11, 2001

For: MEMORY CELL AND METHOD OF
MAKING SAME

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(A)

Commissioner For Patents
MS: Issue Fee
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Petition under 37 C.F.R. § 1.181(a) and M.P.E.P. § 711.03(c), page 700-154. Petitioners request withdrawal of the holding of abandonment. The above-referenced patent application is not abandoned since a timely reply was filed on November 23, 2004 in response to the Notice of Allowance dated August 25, 2004. A copy of our submission papers, which were faxed to and received by the PTO on November 23, 2004, is enclosed.

Telephonic conferences were conducted with the Examiner on November 23, 2004 concerning an erroneous Examiner's Statement for Reasons of Allowance. The reasons for allowance stated that the claims were allowed "in relation to the declaration

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